

**130054**

Venable Filing Number



December 6, 2005

JWG/trs

Filing Date

Atty. Docket No.: 37112-192971 (Alan J. LIPTON et al.)

Re: VIDEO SEGMENTATION USING STATISTICAL PIXEL MODELING

Application No.: 10/667,148

Filing Date: September 22, 2003

Patent No.:

Issue Date:

Trademark:

Trademark Reg. No.:

Opposition/Cancellation No.:

The following items were received from Venable  
Washington, D.C., by the U.S. Patent & Trademark Office:

**U.S. PTO FEES ENCLOSED**

XX

**Transmittal Form**

XX

**Fee Transmittal**New U.S. Patent/Design/Application (\_\_\_ pages of  
specification/claims/abstract)

Formal Drawings (\_\_\_ Sheets; Figs. \_\_\_)

Translation of International Application

New U.S. TM Application (\_\_\_ specimens)

Rule 53(d) Continuation or Division Application

Rule 53(b) Continuation or Division

Application (in Duplicate) (attach copy of specification,  
claims, drawings & declaration)

XX

**Election and Amendment**

Assignment w/ Cover Sheet

IDS w/ PTO - 1449 (\_\_\_ references)

Declaration

Preliminary Amendment

Petition/Request for Extension of Time

Notice of Appeal

Appeal Brief (in triplicate)

Request for Oral Hearing

Confirmation of Hearing Petition

Issue Fee Transmittal

Certificate of Correction

Maintenance Fee Transmittal

TM Statement of Use

Declaration Under 8

Declaration Under 8 and 15

TM renewal Application

Notice of Opposition

Terminal Disclaimer

SELF-ADDRESSED STAMPED POSTCARD

**Filing Fee**

Surcharge Fee

\$ 300.00

**Additional Claim Fee**

Recordation/Indexing Fee

IDS Fee

Extension Fee

Notice of Appeal Fee

Brief on Appeal Fee

Oral Hearing Request Fee

Petition Fee

Issue Fee

Maintenance Fee

TM Statement of Use

8 Affidavit Fee

8 and 15 Affidavit

TM Renewal Application Fee

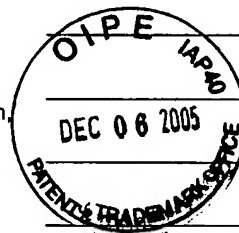
Notice of Opposition Fee

\$ 300.00

**Total Fees Paid**

Check No. Attached

XX Charge Deposit Account No. 22-0261



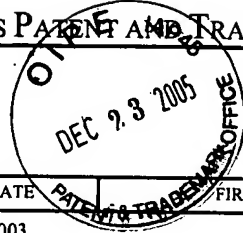
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**DUE: December 16, 2005****CAH**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,148	09/22/2003	Alan J. Lipton	37112-192971	1632
26694	7590	12/13/2005	EXAMINER	
VENABLE LLP			ALAVI, AMIR	
P.O. BOX 34385			ART UNIT	
WASHINGTON, DC 20045-9998			PAPER NUMBER	

2621

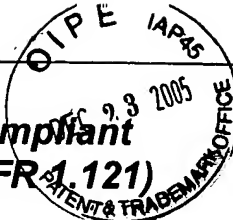
DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Resp to ~~FILE~~ Notice/non-compliant  
and  
DOCKETED  
3/11/2  
CLIENT/MATTER # 192971 ATTY MAS  
DUE DATE 1/13/2006  
FINAL DEADLINE 6/13/2006  
DKTED BY MR  
RLM

DEC 15 2005

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**



Application No.

10/667,148

Examiner

Amir Alavi

Applicant(s)

Alan J. Lipton et al

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 6 December 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: All of claim 2 isn't present.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

- 1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
- 2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE)

Telephone No.